

STATE OF MAINE COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES 135 STATE HOUSE STATION AUGUSTA, MAINE 04333-0135

To: Commissioners

From: Jonathan Wayne, Executive Director

Date: September 2, 2010

Re: Appeal by Douglas T. Stone

Douglas T. Stone is the Republican candidate for the Maine House of Representatives, District 73. He replaced Brendan O'Brien, who withdrew as the Republican nominee in July.

On August 27, 2010, the staff of the Commission denied his application for Maine Clean Election Act (MCEA) funding, because he was late in submitting his qualifying materials. (*See* attached letter.) Mr. Stone submitted them approximately 50 - 60 minutes after the deadline of 5:00 p.m. on Wednesday, August 25, 2010, the last day of the qualifying period for replacement candidates. The candidate has appealed the staff's denial through the attached letter dated August 30, 2010.

Deadline for Submitting Qualifying Materials

To qualify for MCEA funding, a candidate for the Maine House of Representatives must collect at least 60 qualifying contributions of \$5 or more from registered voters in the candidate's district. (21-A M.R.S.A. § 1125(3)(C)) Each person giving the \$5 by check or cash must acknowledge in writing that he or she made the contribution with personal funds and did not receive anything in exchange for the contribution. (21-A M.R.S.A. § 1122(7)) The Commission has developed a Receipt and Acknowledgement ("R&A") form for this purpose. The candidate takes the R&A forms to the local town clerks to verify that the contributors are registered to vote in the candidate's district.

OFFICE LOCATED AT: 45 MEMORIAL CIRCLE, AUGUSTA, MAINE WEBSITE: www.maine.gov/ethics

PHONE: (207) 287-4179

Under 21-A M.R.S.A. § 1125(4), a candidate seeking MCEA funding is required to submit the qualifying contributions and R&A forms (verified by the town clerk) by the end of the "qualifying period" that applies to the candidate's campaign:

4. Filing with commission. A participating candidate must submit qualifying contributions, receipts and acknowledgment forms, proof of verification of voter registration and a seed money report to the commission during the qualifying period according to procedures developed by the commission, except as provided under subsection 11.

The Commission staff then makes a decision whether to certify that the candidate has met the requirements to receive MCEA funding. (21-A M.R.S.A. § 1125(5)) After the staff makes the "certification" decision, the candidate and other interested persons may appeal the staff determination to the Commission, as described below.

Commission Rule on Submitting Qualifying Materials

In Maine legislative elections, candidates may withdraw for various reasons. If the withdrawals occur between the primary election and the second Monday in July, the political parties have until the fourth Monday in July to nominate a replacement for the withdrawing candidate. My general understanding is that the nomination occurs when the local party committee (e.g., the Brunswick Democratic Committee, or the Waldo County Republican Committee holds a caucus and votes on the new nominee). There usually have been about 30 "replacement candidates" for the Maine Legislature in recent election years.

Most replacement candidates in 2008 and 2010 have elected to join the MCEA program. The MCEA specifically authorizes the Commission to "establish by rule procedures for [MCEA] qualification [and] certification ... for races involving special elections, recounts, vacancies, withdrawals or replacement candidates." (21-A M.R.S.A. § 1125(11))

The Commission has adopted a rule that specifies the qualifying period for these postprimary replacement candidates: If a candidate dies, withdraws, or is disqualified before 5:00 p.m. on the 2nd Monday in July preceding the general election, any replacement candidate will have a qualifying period from the time of the candidate's nomination until 30 days after the 4th Monday in July as a participating candidate to collect qualifying contributions and request certification.

(Chapter 3, Section 8(2)(B)) Thus, the qualifying period for Douglas Stone began on July 23, 2010 (when he was nominated by his local party caucus) and ended on August 25, 2010 (the 30th day after the fourth Monday in July).

The Commission has a rule which addresses candidates' submission of qualifying materials (Chapter 3, Section 3(1)). Under the rule, the candidate must submit certain materials by 5:00 p.m. on the last day of the qualifying period, but the candidate may submit some materials late because they are administrative in nature:

- 1. Request for Certification. A participating candidate may submit a completed request for certification to the Commission at any time during the qualifying period but not later than 5:00 p.m. on the last day of the relevant qualifying period. The request will be deemed complete and considered for certification only when the candidate has submitted to the Commission:
 - A. the qualifying contributions attached to the corresponding original receipt and acknowledgement forms that have been verified by the Registrar(s) of the electoral division for the office the candidate is seeking;
 - B. a list of all individuals making qualifying contributions and their town or city of residence, sorted alphabetically by the contributor's last name;
 - C. for gubernatorial candidates, the following documentation for required seed money contributions as required by the Act ([1125(2-B)]: the acknowledgement forms signed by the contributors of seed money, list of seed money contributions, photocopies of checks or money orders received from seed money contributors, and bank or merchant account statements which list contributions made by credit or debit card; [note: this subparagraph is not relevant for House candidates]

- D. a seed money report of contributions, expenditures, and obligations made or incurred after becoming a candidate, including a report of any unspent seed money; and
- E. a signed request for certification on a form provided by the Commission which contains an affirmation by the candidate that he or she has complied with all seed money and qualifying contribution requirements, has established a separate federally-insured bank account for campaign purposes and, if applicable, that any person who circulated receipt and acknowledgement forms and collected qualifying contributions acted with the candidate's knowledge and consent, and any other information relevant to the certification process.
- F. A candidate may request an extension of time to comply with paragraphs B, D, and E. The Commission staff shall grant all reasonable requests or state in writing the reasons for denying the request. The Commission and the Commission staff may not grant an extension of time to comply with paragraph A or C.

(underscoring added) Please note the final sentence of the rule states that the Commission "may not grant an extension of time" to submit the qualifying contributions and the R&A forms required by paragraph 1(A). The Commission adopted changes to the rule in 2007 to tighten it, after administration of the prior rule presented problems in the 2006 elections

Under this rule, an application by a House candidate for MCEA funding must include:

- At least 60 valid qualifying contributions (may <u>not</u> be submitted late). These are the \$5 checks or money orders payable to the Maine Clean Election Fund. Three pages of sample qualifying contributions are attached.
- *R&A forms (may not be submitted late)*. All of Mr. Stone's R&A forms are attached, sorted from earliest to latest.
- Alphabetical list (<u>may</u> be submitted late). This is a list of the Maine voters in the candidate's district who gave \$5 qualifying contributions. The Commission staff anticipates receiving Mr. Stone's alphabetical list on September 3.
- Seed money campaign finance report (<u>may</u> be submitted late). The candidate must file this report electronically on the Commission's e-filing website. Mr. Stone is expected to file this report on September 2.

• Request for certification form (<u>may</u> be submitted late). The Commission staff expects to receive Mr. Stone's request for certification form on September 3.

Candidate's Right to Appeal

A candidate who has been denied MCEA funding by the staff may appeal the denial to the Commission. The candidate has the burden of proving that the decision "was in error as a matter of law or was based on factual error":

- 14. Appeals. A candidate who has been denied certification as a Maine Clean Election Act candidate, the opponent of a candidate who has been granted certification as a Maine Clean Election Act candidate or other interested persons may challenge a certification decision by the commission or its executive director as follows.
 - A. A challenger may appeal to the full commission within 7 days of the certification decision. The appeal must be in writing and must set forth the reasons for the appeal.
 - B. Within 5 days after an appeal is properly made and after notice is given to the challenger and any opponent, the commission shall hold a hearing, except that the commission may extend this period upon agreement of the challenger and the candidate whose certification is the subject of the appeal, or in response to the request of either party upon a showing of good cause. The appellant has the burden of proving that the certification decision was in error as a matter of law or was based on factual error. The commission must rule on the appeal within 5 business days after the completion of the hearing.
 - C. A challenger may appeal the decision of the commission in paragraph B by commencing an action in Superior Court within 5 days of the date of the commission's decision. The action must be conducted in accordance with Rule 80C of the Maine Rules of Civil Procedure, except that the court shall issue its written decision within 20 days of the date of the commission's decision. Any aggrieved party may appeal the decision of the Superior Court by filing a notice of appeal within 3 days of that decision. The record on appeal must be transmitted to the Law Court within 3 days after the notice of appeal is filed. After filing the notice of appeal, the parties have 4 days to file briefs and appendices with the clerk of the court. The court shall consider the case as soon as possible after the record and briefs have been filed and shall issue its decision within 14 days of the decision of the Superior Court.
 - D. A candidate whose certification as a Maine Clean Election Act candidate is reversed on appeal must return to the commission any unspent revenues distributed from the fund. If the commission or court finds that an appeal was made frivolously or to cause delay or hardship, the

commission or court may require the moving party to pay costs of the commission, court and opposing parties, if any.

(Emphasis added.)

Factual Background

To provide you with background information concerning Douglas Stone's late submission of qualifying materials, I interviewed four witnesses yesterday: Mr. Stone, Cynthia Ivon of the Maine Republican Party, the Commission's Assistant Director Paul Lavin, and Lewiston's Deputy Clerk Allison Pease. Mr. Stone was cooperative in his interview, which focused on his decision to become a replacement candidate, how he collected the qualifying contributions, and his car breakdown on August 25, 2010.

Mr. Stone told me that he was invited to think about running for the Legislature as a replacement candidate by Stavros Mendros, an active Republican in Lewiston. After thinking it over, Mr. Stone agreed. According to Mr. Stone, Stavros Mendros had arranged for Mr. O'Brien, a Bates College student, to qualify as a candidate in the spring of 2010 "to reserve a space" on the ballot for a Republican nominee.

On July 23, 2010, Douglas Stone was nominated by his local Republican Party committee to run as the Republican nominee for District 73, according to a Certificate of Nomination that was filed with the Secretary of State on August 2, 2010 (attached). The certificate does not identify the committee, but the committee's chair and secretary are named (Larry and Leah Poulin). Mr. Stone accepted the party nomination in a Certificate of Acceptance that was also filed on August 2, 2010.

Mr. Stone stated in his interview with the staff that he knew he would run as an MCEA candidate at the time of his nomination. After learning that Mr. Stone was a replacement candidate, Candidate Registrar Kevin Johnson called him to encourage him to register with the Commission as a candidate. During the call, Mr. Stone stated that he intended to

run as an MCEA candidate. The staff does not have a record of the date of the phone call.

On August 18, 2010, Mr. Stone registered as a candidate with the Commission and formally declared his intention to qualify for MCEA funding. To qualify for MCEA funding, Mr. Stone was required to collect 60 qualifying contributions of \$5 from registered voters in his district, and to have the Lewiston City Clerk verify that the voters were registered to vote in District 73.

Mr. Stone began collecting the required 60 qualifying contributions of \$5 on Sunday, August 22. That was 30 days after he was nominated and only three days before the August 25 deadline. (See attached calendar.) The dates of the contributions are shown on the R&A forms (attached), and are summarized in this table:

	Contributions Verified by Town Clerk	Contributions Not Verified by Town Clerk
Sunday, August 22	17	7
Monday, August 23	11.	2
Tuesday, August 24	20	0
Wednesday, August 25	13	3
Total	64*	12

^{*}The Commission staff accepted 61 qualifying contributions as valid. Of the 64 verified contributions, two were duplicates, and one was not counted because a wife made the acknowledgment for her husband.

In the view of the Commission staff, Douglas Stone waited until relatively close to the deadline to begin collecting the contributions. In our experience, it is common for replacement candidates to begin collecting the qualifying contributions <u>at the caucus</u> when they are nominated, because the caucus attendees are generally ready and willing to make the \$5 contributions. When I asked him why he did not start earlier, Mr. Stone

stated that he was busy with community activities and was unavailable during the period of August 2-8.

Mr. Stone said that he collected all of his qualifying contributions, except for three contributions which Mr. Mendros collected on August 24. Mr. Stone said that Mr. Mendros had called him on August 22, 23, and 24 "to see how he was doing." Mr. Stone was still collecting qualifying contributions on August 25, the final day of the qualifying period. Indeed, he collected 16 contributions (about ¼ of the total required) on August 25.

Mr. Stone brought the R&A forms to the Lewiston City Clerk on August 24 and August 25 to obtain verification that the contributors were registered to vote in House District 73. Mr. Stone was at the clerk's office with Stavros Mendros. Mr. Stone left the clerk's office around 3:30 p.m. – leaving him around 90 minutes to drive to Augusta. Mr. Stone was aware of the 5:00 deadline and mentioned it to the clerk. The 5:00 p.m. deadline was clearly noted in the Commission's packet of forms for replacement candidates. (The relevant pages from the packet are attached.) So, there appears to be no problem with notice of the 5:00 p.m. deadline.

Before the 5:00 deadline, Mr. Stone called our office and was transferred to Paul Lavin. Mr. Stone told Paul that he was driving north on Interstate 95 and his car had broken down. He said that he was waiting for someone to pick him up and that he would arrive a little after 5:00 p.m. Paul believes that Mr. Stone made the call around 4:40 p.m. because he remembers thinking to himself that Mr. Stone would never make it by the time that Mr. Stone predicted.

As part of the telephone call, Paul replied that the Commission staff would receive Mr. Stone's qualifying materials even if they were submitted after 5:00 p.m. He explained, however, that under the Commission's Rule, the staff could not grant an exception to the 5:00 deadline. Paul explained that there was an appeal process, and that they could discuss an appeal when Mr. Stone arrived at the Commission office.

Mr. Stone had previously arranged to meet Cynthia Ivon of the Maine Republican Party, at the party's building one block from our office. Mr. Stone arrived at the Commission office with Ms. Ivon. Paul believes they arrived between 5:50 p.m. and 6:00 p.m., because Paul had decided that he would leave at 6:00 p.m. (one hour after the deadline) and was making preparations to leave (e.g., planning to leave a note on the door.)

In conformance with routine procedures, Paul reviewed the qualifying papers which Mr. Stone brought with him. Paul asked Mr. Stone to complete the Request for Certification form on the spot, and to file the seed money campaign finance report and alphabetical list soon. (As noted above, under the Commission's Rule, candidates may submit the Request for Certification form, seed money report, and alphabetical list after the end of the qualifying period.)

Paul reiterated to Mr. Stone that the Commission and the staff cannot grant exceptions to the 5:00 deadline under the Commission's Rule. Mr. Stone indicated that he understood, but wished to appeal. Paul gave him a copy of the appeal statute (21-A M.R.S.A. § 1125(12)).

Earlier in the day on August 25, 2010, at approximately 3:15 p.m., part of Augusta lost electrical power. All of the Commission's employees left the building at 5:00 p.m., except for Paul Lavin who worked later. Paul's recollection was that the office regained power at about 5:15 p.m. or 5:30 p.m. Mr. Stone explains that the lack of traffic lights on Western Avenue slowed his trip to the Commission's office after he left the interstate highway, which contributed to his lateness.

In the interview, Mr. Stone provided a more detailed explanation of the car breakdown. He was driving a 1994 car that he had owned for about two months. As he was driving north on the interstate, he could tell that it was overheating. The "stop engine" light came on. The car had not overheated in the previous two months.

Mr. Stone drove the car to Sabattus Auto and Truck Sales, which is located at the Sabbatus exit of the highway. The shop sells and services cars. An employee diagnosed a broken water pump, and told him he could leave the car there. Mr. Stone used the shop's phone to call the Commission office. He tried to get a ride to Augusta by calling Mr. Mendros, but he did not answer. He reached someone else who left work, picked him up, brought him to Augusta, and later delivered him back to his car. On August 27, VIP Auto Parts in Lewiston replaced the water pump and performed other service, and Mr. Stone has provided the bill for the work. Mr. Stone is an employee of VIP.

Staff Recommendation

The Commission staff believes that denying MCEA funding to Mr. Stone is the correct determination under the standard in the MCEA appeal statute (21-A M.R.S.A. § 1125(14)) and Chapter 3, Section 3(1) of the Commission's Rules.

First and most importantly, the staff believes that the Commission must act consistently with its rule. Under paragraph 3(1)(A) of that rule, Mr. Stone was required to submit his qualifying contributions and R&A forms by 5:00 p.m. on August 25, 2010 to qualify for MCEA funding. The rule specifically states that the Commission and its staff "may not" grant an extension to comply with paragraph 3(1)(A). We therefore believe the Commission should not accept Mr. Stone's submission of qualifying contributions and R&A forms 50 - 60 minutes late.

Second, under the statute that governs the appeal process (21-A M.R.S.A. § 1125(14)), Mr. Stone has the burden of proving that the staff's decision was based on factual error or was in error as a matter of law. Mr. Stone does not dispute that he was late, and the Commission has made no factual error. In declining to grant an exception to the 5:00 p.m. deadline, the staff has applied the Commission's Rule correctly. So, it is difficult to see how the staff has made a legal error in applying Chapter 3, Section 3(1).

Third, we believe permitting Mr. Stone to join the MCEA program in spite of his tardiness would create a precedent that could cause difficulty for the Commission in future appeals. Unlike other provisions of the Election Law (e.g., the penalty provisions for late-filed reports), the provision of the MCEA governing certification appeals does not allow for the consideration of mitigating circumstances. Earlier this year, four of the current Commissioners considered an appeal from another House candidate, Matthew Boucher. The staff had denied his request for MCEA funding in April 2010 because he was around 30 - 40 minutes late in delivering his qualifying papers to the Commission office. The Commission denied his appeal. If you were to grant Mr. Stone's appeal, it may be difficult to distinguish his application from other late certification requests.

Finally, Mr. Stone contributed to his lateness by not beginning to collect qualifying contributions until Sunday, August 22, which was three days before the August 25 deadline. Under the Commission's Rule, he could have begun collecting qualifying contributions as soon as he became his party's nominee on July 23, 2010. Even if he was busy or unavailable through August 8, he could have collected qualifying contributions beginning on August 9. Instead, he waited until August 22. We appreciate that the car breakdown may have been unforeseeable, but Mr. Stone put himself in a vulnerable position by leaving himself only 90 minutes to get from the Lewiston City Clerk's office to Augusta.

Mr. Stone provided very detailed explanations of his nomination as a replacement candidate, the MCEA qualification process, and his car's breakdown on August 25. The Commission staff found his account of the breakdown credible. On a personal level, we have sympathy for him and appreciate his cooperation. Nevertheless, we believe the MCEA appeal statute and the explicit Commission Rule leave you with little choice but to deny the appeal.

Thank you for your consideration of this memo.



STATE OF MAINE COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES 135 STATE HOUSE STATION AUGUSTA, MAINE 04333-0135

August 27, 2010

Douglas Stone 8 Bridge Street Lewiston, Maine 04240

Dear Mr. Stone:

The Ethics Commission staff has reviewed your application for Maine Clean Election Act funding. The application meets all of the requirements except that it was not submitted during the qualifying period as required by 21-A M.R.S.A. § 1125(4) and Chapter 3, Section 3(1) and Section 8(2)(C) of the Commission's Rules. You did not submit your materials until after 5:00 p.m. on August 25, 2010, which was the deadline for replacement candidates. Therefore, the staff is denying your request for certification as a Maine Clean Election Act candidate.

You may appeal the staff's determination. The appeal must be in writing and must set forth the reasons for the appeal. You have seven (7) days from the date of the certification decision (August 27, 2010) to submit your appeal. The Commission must hold a hearing on your appeal with five (5) days after receiving a properly filed appeal. I have attached the section of the Maine Clean Election Act that governs the appeal procedure.

If you have any questions, please contact me or Kevin Johnson at 287-4179.

Sincerely,

Paul Lavin

Assistant Director

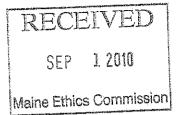
cc: Hon. Richard V. Wagner

FAX: (207) 287-6775

Maine Clean Election Act – 21-A M.R.S.A. § 1125(14) Appeals

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- B. Within 5 days after an appeal is properly made and after notice is given to the challenger and any opponent, the commission shall hold a hearing, except that the commission may extend this period upon agreement of the challenger and the candidate whose certification is the subject of the appeal, or in response to the request of either party upon a showing of good cause. The appellant has the burden of proving that the certification decision was in error as a matter of law or was based on factual error. The commission must rule on the appeal within 5 business days after the completion of the hearing.
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Douglas Stone, District 73 House of Representatives Candidate 8 Bridge Street Lewiston, ME 04240 207 783-0024

8/30/2010

RE: Appeal to the Executive Director, Maine Clean Election Act candidate.

Jonathan Wayne
Executive Director
135 State House Station
Augusta, Maine 04333-0135
(207) 287-4179

Jonathan. Wayne@maine.gov

Dear Mr. Wayne,

Pursuant to the certification decision by Mr. Paul Lavin, Assistant Director, I would like to appeal to the executive director as to why I missed the certification deadline on August 25, 2010.

- To begin with I am a replacement candidate which had a shorten time period to gather my Maine Clean Election Act requirements of 60 qualified signatures in concert with 60 \$5.00 contributions.
- At 4 PM on the deadline date of August 25, 2010 as I was driving on the I-95 north from Lewiston, my
 vehicle became disabled enroute to meet the deadline. It was a water pump that had failed and this
 original, signed letter and the dated receipt is in the mail to you for your reference.

Thank you for the opportunity for the appeal process and for your time into this matter.

Respectfully submitted,

Day/o T. S/one

Douglas Stone

Candidate for the Maine Clean Election Act

Work order only WHOT A VALID RECEIPT



VISIT OUR WEBSITE www.vipauto.com

VIP Parts fires & Service

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- You cannot be charged any fee for exercising these rights.

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SAFETY INSPECTION	Y N

I hereby accept the above estimate and authorize this repair work to be performed by VIP with the necessary materials provided, in the event of the repairs exceeding this estimate, I also agree to pay any additional charges after VIP has first obtained my approval to perform the additional work. VIP employees may operate this vehicle for purposes of testing, inspection, or delivery at my risk. VIP shall not be responsible for any loss or damage suffered by the costomer to his/her vehicle or properly damage due to theft, line, collision, accident, or otherwise. An express mechanic's lien is acknowledged on the above vehicle to secure the amount of repairs thereto. Only VIP or manufacturer's expressed written warranties, guarantees, terms and conditions apply. No other oral, written, or implied warranties are acknowledged. A storage charge of \$5.00 per day will be charged to any vehicle left after 7 days from notification of services completed.

SAFETY WARNING

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ALL WHEELS NEED TO BE RETORQUED AFTER 25 MILES OF DRIVING

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Please make checks and money orders payable to Maine Clean Election Fund. Money orders must be signed by the contributo

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Date: 504-2010

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Circulators: You must complete and sign the statement below for the contributions collected on this form to be accepted by the Commission. This section does not apply to candidates

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CANDIDATE'S NAME:

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QUALIFYING CONTRIBUTIONS - RECEIPT AND ACKNOWLEDGEMENT

www.maine.gov/ethics

OFFICE: A HOUSE I SENATE (Please check box above) DISTRICT # 73

ALL CONTRIBUTORS MUST BE FROM THE TOWN OR CITY OF

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Date: OD PLACE

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COMMISSION ON GOVERNMENTAL ÉTHICS AND ELECTION PRACTICES

135 State House Station
Augusta, ME 04333 www.maine.gov/ethics 207-287-4179

QUALIFYING CONTRIBUTIONS - RECEIPT AND ACKNOWLEDGEMENT

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MPORTANT NOTICE TO CONTRIBUTORS: eligible for public funding from the State to pay for the candidate's campaign. Your signature and qualifying contribution of \$5 or more will help the candidate named above to be s Commission **25** 2010

By signing below, you affirm that you have used your personal funds to make this contribution and

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Mailing Address: 8 Bridge

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Circulators: You must complete and sign the statement below for the contributions collected on this form to be accepted by the Commission. This section does not apply to candidates

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QUALIFYING CONTRIBUTIONS - RECEIPT AND ACKNOWLEDGEMENT

135 State House Station www.maine.gov/ethics Augusta, ME 04333

ALL CONTRIBUTORS MUST BE FROM THE TOWN OR CITY OF

CANDIDATE'S NAME: 1000 (45

(Please check box above)

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AND NOTICE TO CONTRIBUTORS

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Residential Address: 8 Bridge

Lewiston ME -ewiston

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Phone #: 207 183-0024

CANDIDATE'S NAME:

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QUALIFYING CONTRIBUTIONS - RECEIPT AND ACKNOWLEDGEMENT

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OFFICE: AHOUSE I SENATE DISTRICT # 23 (Please check box above)

ALL CONTRIBUTORS MUST BE FROM THE TOWN OR CITY OF: Lowiston

PORTANT NOTICE TO CONTRIBUTORS: eligible for public funding from the State to pay for the candidate's campaign. By signing below, you affirm that you have used your personal funds to make this contribution and Your signature and qualifying contribution of \$5 or more will help the candidate named above to be lave received nothing of value in exchange for your signature and contributio RECEIVED 25 2010 cs Commission

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Mailing Address: 8 Bri Residential Address: ME 04240 #: 207 783-0024 352 04240

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MAINE CLEAN ELECTION ACT

QUALIFYING CONTRIBUTIONS - RECEIPT AND ACKNOWLEDGEMENT

COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICE 135 State House Station Augusta, ME 10433 www.maine.gov/ethic

CANDIDATE'S NAME: BOGLAS

OFFICE: HOUSE II SENATE (Please check box above)

DISTRICT # 73 RECEIVED

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Signature of Registrar Millian, Rylase

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CANDIDATE'S NAME:

MAINE CLEAN ELECTION ACT

COMMISSION ON GOVERNMENTAL ÉTHICS AND ÉLECTION PRACTICES 135 State House Station Augusta, ME 04333 207-287-4179

QUALIFYING CONTRIBUTIONS - RECEIPT AND ACKNOWLEDGEMENT

Stone OFFICE: CI GOVERNOR CYHOUSE CI SENATE DISTRICT # 3 www.maine.gov/ethics

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Signature of Registrar:

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QUALIFYING CONTRIBUTIONS - RECEIPT AND ACKNOWLEDGEMENT

www.maine.gov/ethic 207-287-417

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MAINE CLEAN ELECTION ACT

ONLINE QUALIFYING CONTRIBUTIONS - RECEIPT AND ACKNOWLEDGEMENT

ETHICS AND ELECTION PRACTICES
135 State House Station
Augusta, ME 04333

Augusta, ME 04333 207-287-4179 www.maine.gov/ethics

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	Date	System ID#	Contribut	Contributor's Name	Residential Address
-7/	08/24/2010	21245	Glen Thibault	(verified online)	40 BUSHEY CIR, LEWISTON, ME
2)	08/24/2010	21246	Kelly Thibault	(verified online)	40 BUSHEY CIR, LEWISTON, ME
ယ်	0102/25/80	21266	Shanti L Curran	(verified online)	72 SUMMER ST, LEWISTON, ME
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Q)	08/25/2010	21268	Brendan W OBrien	(verified online)	45 CAMPUS AVE, LEWISTON, ME
6	08/25/2010	21273	Larry Caron	(verified online)	25 OWEN ST, LEWISTON, ME
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tact the Commission staff at 287-4179 if you have any questions. application. The contributors listed on this page have already submitted an electronic signature edgement form was automatically generated by the Commission's online qualifying contributions Note to Municipal Registrars on Online Qualifying Contributions: This Receipt and Acknowle when they made the online contribution and are not required to sign the paper form. Please con-

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QUALIFYING CONTRIBUTIONS - RECEIPT AND ACKNOWLEDGEMENT

CANDIDATE'S NAME DOUG 45 Stone

FICE: HOUSE II SENATE DISTRICT # 23

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QUALIFYING CONTRIBUTIONS - RECEIPT AND ACKNOWLEDGEMENT

CANDIDATE'S NAME: 2006605

OFFICE: IN HOUSE IT SENATE DISTRICT # 73

www.maine.gov/ethics

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Signature of Registrar Allin R. Flace H.

Mailing Address:

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STATE OF MAINE Certificate of Nomination

For Replacement Nominees After the June 8, 2010 Primary Ethics Commission

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·	(By show of ha	nds, written or oral v	vote)	
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Signed:		Attested:	~ ~	$(\cdot \)$
Jamy Lack		7. 4	ma Ri	
Chair	77.4	Secretary	718121010	
An original	or fax copy must be re	ceived by 5 p.m. on	Monday, July 26	, 2010.
SEND TO:	Office of the Secreta Elections Division 101 State House Stat Augusta, ME 04333	ion	Tel (207) 624 Fax (207) 287	

Ĭ 2010

STATE OF MAINE

Certificate of Acceptance of Party Nomination For Replacement Nominees After the June 8, 2010 Primary Election Widthe Ethics Commission

Office: Re	tice - For Example: Rep. to	Leture	Electora	l Division:	73	
5	د المالية الم		_	(Ele	ctoral Division – For Ex	ample: District #1)
Legal name of listing candidates	pominated candic names on the ballot.)	late as it will ap	pear on the l	b allot: (See Titl	e 21-A, §601(2H) f	or requirements for
S+	DA C and suffix, if any)	The second secon	Dov 6 lo	iamo) - · · · · · · · · · · · · · · · · · ·	(Middle	name or initial)
Residence Addr	ess of Candidate:_	Street Address - no	19c S- n PO. Box)	freet (City	Lewist.	<u>~~ 0424</u>
Mailing Address	s of Candidate (if d	lifferent from al	oove):	· · · · · · · · · · · · · · · · · · ·		
		CANDIDA	ATE'S CON	SENT	, , , , , , , , , , , , , , , , , , ,	
I hereby accept t	he party nomination	n for the office n	amed above,	pursuant to 21	I-A MRSA §363	(3). I hereby
	esidence is in the					•
Ony/so	(Signature of C	andidate).	1			
	<u> </u>	copy must be r	-	p.m., Monda	y, July 26, 201() .
	7 101 S	e of the Secretarions Division state House Stati sta, ME 04333-	ion	Tel (207) 6 Fax (207) 2		٠.



RECLIVED

AUG 25 2010

Maine Ethics Commission

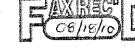
COMMISSION ON GC

I GC RNMENTAL ETHICS AND ELECTION PRACTICES
Mail: 135 State House Station, Augusta, Maine 04333

Office: 45 Memorial Circle, Augusta, Maine

Website: www.maine.gov/ethics

Phone: 207-287-4179 Fax: 207-287-6775



2010 CANDIDATE REGISTRATION

Notice: Changes to registration i		within 10 days in writing or by e-ma	ail to the Commission.
is this an amendment? ☐ Yes			
1	CANDI	DATE INFORMATION	
Are you running as a (check on	e): 🛕 Maine Cle	an Election Act candidate	privately financed candidate
Title	I Dr. □ Honorable	Party affiliation	Office sought
□ Ms. □ Mrs. ♥ Mr. □	I Dr. Li Honorable	KEPUBLICAN	House District 73
Name: First	MI or Middle Name	Last	District or County
DOUGLAS	THOMAS	STONE	73
Mailing address			Home Phone
8 Bridge	Street		207-783-0024
City, zip code			Cell Phone
Lewiston E-mail	042	40	NIA
E-mail		Fax	Work Phone
DTStone 10 0	hotmail com		207 784 5423
2	TREAS	URER INFORMATION	
Name: First	MI or Middle Name	Last	Phone (home)
5000	M	onteiro	207 212 7409 Phone (work)
Mailing address			
//	King Aven	ue	207 784 5423
City, zip code	E-mail		Fax
Lewiston (C 4240		
before accepting contributions, making later than 10 days after appointing a	ng expenditures or incurring treasurer, the candidate m	st appoint a treasurer no later than 10 g obligations. A MCEA CANDIDATE Monust register with the Commission the records and for filing reports. (21-A Monus 1)	AY NOT SERVE AS TREASURER. No name and address of the candidate and ARSA §§ 1013-A and 1125(12-A))
2A.	DEPUTY TR	EASURER INFORMATION	
Name: First	MI or Middle Name	Last	Phone (home)
Mailing address	Hurva' .		Phone (work)
City, zip code			E-mail

DESIGNATION OF DEPUTY TREASURER (optional): The candidate may appoint a deputy treasurer and notify the Commission no later than 10 days after the appointment. A MCEA CANDIDATE MAY NOT SERVE AS DEPUTY TREASURER. The deputy, when acting in the absence of the treasurer, has the same powers and responsibilities as the treasurer. (21-A MRSA § 1013-A (1)(A)(1))

	AUTHURIZE	EU AGEN1 11	IFORMATION	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	<u> </u>	
Name	Phone		Email			
Name	Phone		Email			
DESIGNATION OF AUTHORIZED reasurer, authorized to file reports		use this secti	on to designate individ	duals, other tha	n the treasurer	and depo
4.	POLITICAL C	OMMITTEE.	INFORMATION			
Name	5tone		<u></u>	Phone	83 002	
Address of campaign headquarters	<i>O 001 O</i>		City, zip code			
8 Bridge	s † .		Lewisto	a Mai	ne 047	240
DESIGNATION OF POLITICAL Comming the committee and before a appoint a treasurer (the	OMMITTEE (optional): The ccepting contributions, making e candidate may have only condition and its officers, if any are a	ng expenditure one treasurer v	s or incurring obligatio who is listed in Section	ons, the candida 2) and	ite must:	ı 10 days
Committee Officers (use addition						
Name		Title		Phone		
Mailing address		City, zip code		E-mail	:	
Name		Title		Phone		
Nome					-	<u></u>
Mailing address		City, zip code		E-mail		
5.	Ci	ERTIFICATK)N			
1. DOUGLAS Thom	es Stone	, cer	tify that the informat	ion in this regi	stration is true	э,
(Print Candidate accurate and complete.	s Full Name)					
Signature of Candidate	dus Thomas Sto	ne	Date	8/14/2010	· 	
						· · · ·
6.	FOR COUN	TY CANDID	ATES ONLY			900 8 74 (451 676
REPORTING EXEMPTION REC treasurer and file campaign finar for his or her campaign. You can pay for your campaign expenses and submit it to the Commission.	nce reports if the candidate on not request a reporting exel . To request an exemption,	does not accep Imption if you u	ot any cash or in-kind se your or your spous	contributions or e's/domestic pa	r make any exp irtner's persona	oenditures al funds to
STATEMENT OF ELIGIBILITY contributions, make expenditures	FOR A REPORTING EX s or incur obligations associa	EMPTION: I ted with my ca	, the undersigned, s ndidacy.	wear or affirm	n that I will no	ot accep
Signature of county candidate				Date		
Subscribed and sworn (affirmed) to b	efore me this day of		,20 .			
Signature of Notary/Attorney-at-law				on expires	(Date)	
(Seal is optional)				andidata maret	, ,	2011E0= A
REVOCATION NOTICE: The frevocation notice must be in the date the treasurer is appointed. notice is subject to the same pen	form of an amended registra The notice must be filed b	ition which mus efore contribu	st be filed with the Cor jions are accepted or	nmission no lat	er than 10 days	s after the



RECEIVED

AUG 25 2010

Maine Ethics Commission

COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES
Mail: 135 State House Station, Augusta, Maine 04333
Office: 45 Memorial Circle, Augusta, Maine



Website: www.maine.gov/ethics Phone: 207-287-4179

Fax: 207-287-6775

2010 DECLARATION OF INTENT

To Seek Certification as a Maine Clean Election Act Candidate

Candidate's Name:	DOUGLAS	Thomas	Stone
•		(Please Print)	

I hereby declare my intent to become certified as a Maine Clean Election Act candidate and to comply with the requirements of the Maine Clean Election Act. I authorize the Commission to conduct a financial audit of my campaign, including but not limited to financial records and account(s). I affirm the following in support of this Declaration of Intent:

- That I am seeking certification as a Maine Clean Election Act candidate.
- That I understand that any qualifying contribution I collected more than five business days before <u>filing</u> this Declaration of Intent with the Commission will not be counted toward the eligibility requirement.
- That I have raised and spent only seed money contributions since becoming a candidate, and that I will continue to comply with applicable seed money restrictions.
- That I will deposit and maintain all Maine Clean Election Act funds I receive in an
 account to be used solely for campaign purposes, and that all my payments of
 Maine Clean Election Act funds will comply with the Commission's expenditure
 guidelines.
- That I will obtain and keep campaign records required by the Maine Clean Election Act and by the Commission's rules and policies.
- That I have received or will obtain from the Commission the current Candidate Guidebook containing the Commission's policies.
- That I have elected to participate in this voluntary public financing program, and understand that it is my responsibility to review and to comply with the Maine Election Law, and the Commission's rules and policies.

I certify that the above affirmations are true, correct, and complete to the best of my knowledge.

8/14/2010 Date

Candidate's Signature

Calendar of 2010 Campaign of Douglas T. Stone

Su	M	Τ	W	Th	F	Sa
				JULY	23 Stone nominated by Repub. caucus	24
25	26	27	28	29	30	31
AUGUST 1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18 Stone registers as candidate		20	21
22 Stone begins QC collection		24	5:00 deadline			

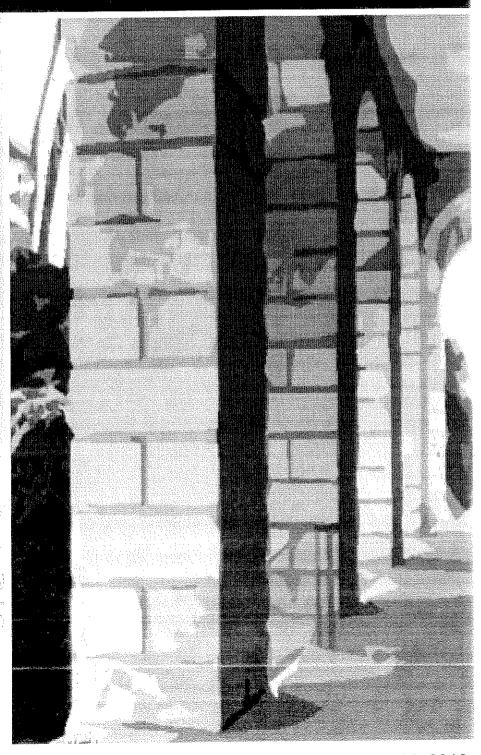
2010 MCEA Replacement Candidate Getting Started Packet

FORMS,
INSTRUCTIONS AND
FILING REQUIREMENTS

COMMISSION ON
GOVERNMENTAL ETHICS AND
ELECTION PRACTICES

Mailing: 135 State House Station, Augusta, Maine 04333 Location: 45 Memorial Circle, Augusta, Maine

Phone: 207-287-4179 Fax: 207-287-6775 Website: www.maine.gov/ethics



Candidate's Signature

COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES
Mail: 135 State House Station, Augusta, Maine 04333
Office: 45 Memorial Circle, Augusta, Maine

Website: www.maine.gov/ethics

Phone: 207-287-4179 Fax: 207-287-6775

2010 REQUEST FOR CERTIFICATION As a Maine Clean Election Act Candidate for the Legislature

2010 CERTIFICATION DEADLINE FOR REPLACEMENT CANDIDATES:

August 25, 2010 by 5:00 p.m.



CANDIDATE'S NAME:				
OFFICE SOUGHT	DISTRICT #_	PARTY:		
I hereby request to be certified as a Maine Clea of the Act and the Commission's rules. I have:	n Election Act can	lidate. I agree to c	omply with all req	uirements
 signed and filed a Declaration of Intented as a candidate by petition or of complied with seed money restrictions. Maine Clean Election Act; read the Commission's guidelines on petablished a separate campaign account if applicable, any person who circulate qualifying contributions did so with my With this Request for Certification, I have submodulated in the second which is the total collected on Receipt 	other means (confirm and otherwise met to permissible campaign ount in a financial instead my Receipt and A knowledge and consi mitted (please check the ifying contributions.	ned by Secretary of She requirements for nerelated expenditure itution; and Acknowledgement for ent. e appropriate boxes): I have submitted	State's Office); participation in the es; orms and collected	沙學 1000
for contributions made by check and verified by the municipal clerks with the order that the contributions are listed.	ne checks or money (減 医电子 一月 二二二二十二十二年 医多二十二甲基	and the second of the second o	No. 2
☐ for contributions made by credit or de online system, the printed Receipt and ☐ an alphabetical list of all qualifying cor	d Acknowledgement	forms <u>verified by the</u>	municipal clerks.	I by the
☐ a seed money campaign finance reportant activity report must be filed. If you report signed by you and your treasure	ort filed electronically. requested an electro	(If no seed money	was raised or spen	
Request for Extension. A candidate may request alphabetical list. The deadline for submitting the cannot be extended. I request an extension of time	ne qualifying contribu	utions and receipt a		
☐ Seed Money Report		☐ List of Contrib	utors	
				,

Date



COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES Mail: 135 State House Station, Augusta, Maine 04333-0135 Office: 45 Memorial Circle, Augusta, Maine

> Website: www.maine.gov/ethics Phone: 207-287-4179

Fax: 207-287-6775

2010 REGISTRATION MATERIALS

FOR MAINE CLEAN ELECTION ACT CANDIDATES

This packet contains the forms you will need to register with the Commission and to participate in the Maine Clean Election Act. We encourage you to call the Commission staff if you have any questions regarding the Maine Clean Election Act (MCEA) and campaign finance reporting.

COMPLETE THESE FORMS:

Candidate Registration

Every candidate must register with the Commission before accepting any campaign contributions or making any campaign expenditures and upon nomination. You must appoint a treasurer and are required to appoint someone other than yourself. Candidates can no longer serve as their own treasurer or deputy treasurer. Please complete and sign the enclosed registration form and return it to the Commission.

Declaration of Intent (DOI)

Please complete this when you register as a candidate. You are required to file the DOI within 5 business days after you begin to collect qualifying contributions. Qualifying contributions received more than 5 business days before filling the DOI will not count toward the eligibility requirements. You can begin collecting qualifying contributions on the date of your nomination.

Maine Code of Fair Campaign Practices (optional)

Please review the Code and return the signed form if you want to subscribe. Subscribing to the Code is voluntary and the Commission is not authorized to take action against candidates who violate the Code.

Vendor Form

You must complete this form to receive MCEA funds. Please do this when you register or at your earliest convenience and submit the original signed copy to the Commission.

Request for Direct Deposit

If you prefer to receive your MCEA payments by direct deposit (EFT) rather than by check, complete this form. Remember to attach a voided check or deposit slip to the form. EFT is optional but most candidates prefer it because they can access campaign funds faster.

Statement of Sources of Income (salmon form)

All legislative candidates in the 2010 general election are required to file the Statement of Sources of Income covering the calendar year 2009 by August 2, 2010 (statutory deadline). For replacement candidates, please submitted the completed form by September 7, 2010.

OTHER REQUIREMENTS:

Account

Campaign Bank You must have a separate bank account for your campaign funds, i.e., your seed money contributions and your MCEA payments. You cannot commingle seed money or MCEA funds with personal or business funds. Remember that cancelled checks (or copies) and monthly statements are records that you must keep for three years. You will also need these if you are selected for a random audit.

MCEA Expenditure Guidelines |

The MCEA requires that all public funds be spent on campaign-related expenditures in accordance with guidelines established by the Commission. Violations of this requirement may subject the candidate to civil and criminal penalties. Please familiarize yourself with the guidelines (copy included in this packet).

Seed Money

Prior to MCEA certification, you may raise and spend only "seed money contributions." A seed money contribution cannot exceed \$100 and must come from individuals only. Each family member may make a seed money contribution, provided that the money is from their personal funds. House candidates may raise up to \$500 in seed money contributions; Senate candidates may raise up to \$1,500. These limits apply to the aggregate amount of cash and in-kind (goods and services) contributions. A seed money report must be filed whether you raised or spent any seed money.

Many questions can be answered by referring to the Commission's website, www.maine.gov/ethics, or the 2010 Candidate Guide. You can also call the Ethics Commission staff with your questions at 287-4179. Please ask for a candidate registrar.

OTHER REQUIREMENTS (CONTINUED)

Qualifying Contributions To become eligible to receive MCEA funds, you must collect a minimum number of qualifying contributions during the qualifying period.

Qualifying Period and Required Number

	ALL CANDIDATES: DEMOCRATIC, GREEN-INDEPENDENT, REPUBLICAN, AND UNENROLLED
QUALIFYING PERIOD	Date of your nomination to August 25, 2010
REQUIRED NUMBER OF	House Candidates – 60
QUALIFYING CONTRIBUTIONS	Senate Candidates – 175

What is a Qualifying Contribution

Qualifying contributions are donations of \$5 or more made with the personal funds of individuals who are registered to vote in your district. They do not have to be enrolled in the same political party as you.

Qualifying contributions maybe made by:

- a personal check payable to the Maine Clean Election Fund (MCE Fund);
- · cash, but only if the contributor signs a money order provided by the campaign in the same amount as the cash contribution. If the contributor prints their name on the money order, please ask them to sign it, too. If the money order is not signed, it will not be accepted and counted as a qualifying contribution; or
- a debit or credit card payment to the MCE Fund using the Commission's online contribution website (www.maine.gov/cleanelections).

Receipt and Acknowledgment Form (R&A Form) and Voter Verification

For qualifying contributions made by check or money order:

- Each contributor must fill out and sign the R&A form.
- The contributors listed on a single form should be from the same city or town.
- · If you have other people circulating the forms and collecting qualifying contributions and signatures, they must complete and sign the circulator section of the form.
- You must bring these forms to the municipal clerks in your district to verify that the contributors are registered voters at the address listed on the form.

For qualifying contributions made by debit or credit card on the Commission's website:

- Contributors do not sign a paper form because they sign electronically when they make their contribution.
- The online system automatically verifies the voter registration of online contributors.
- If the system is unable to verify the voter registration, you must download and print the R&A forms for the unverified contributors and bring these forms to the town clerks for voter verification.

Requesting Certification



Requests for certification must be received by the Ethics Commission by 5:00 p.m. on the last day of the qualifying period. For a checklist of documents that must be submitted, please refer to the Request for Certification form included in this packet. Requests for certification will not be granted if the qualifying contributions and verified Receipt and Acknowledgement forms are not submitted by the deadline of the qualifying period.

and R & A Forms

Qualifying Contributions. You must submit at least the minimum number of valid qualifying contributions along with the R&A forms verified by municipals registrars. You do not need to submit R&A forms for qualifying contributions verified online.

Alphabetical List You must submit an alphabetical list of all individuals who made a qualifying contribution by check, money order and online. The list includes their name and town or city where they reside.

Seed Money Report Before you can be certified, you must file a seed money report.